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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Prepared By:
First American Site Acquisition, Inc.
2124 Larry Drive N.E.
Cedar Rapids, Iowa 52402
319-721-0411

Tax Statements To:
US Cellular
Attn: Real Estate Department
8410 W. Bryn Mawr Avenue
Suite 700
Chicago, IL. 60631

Return To:
First American Site Acquisition, Inc.
2124 Larry Drive N.E.
Cedar Rapids, Iowa 52402

Legal Description Located on Page 5.

## MEMORANDUM OF LEASE

**THIS MEMORANDUM OF LEASE** is made and entered into as of the 21st day of November, 2006, by and between Marcheta R. Cooey and Ralph Douglas Cooey as Trustees of the Archie W. Cooey Jr. Trust, and Marcheta R. Cooey, Individually, whose address is 2607 220th Ave., Delhi, Iowa, 52223, hereinafter referred to as "Lessor", and The Iowa RSA No. #12 Limited Partnership, an Iowa limited partnership, whose address is Attention: Real Estate, 8410 West Bryn Mawr Avenue, Suite 700, Chicago, Illinois, 60631, hereinafter referred to as "Lessee."

**WITNESSETH:**

**WHEREAS**, by the terms of a certain Ground Lease entered into on the 21st day of November, 2006 (the "Lease"), the Lessor leased to the Lessee certain property,



[Date]
[Site no/Name]
[File Path]

being more particularly bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof (the "Premises"); and

**WHEREAS**, the Lessor and the Lessee desire to execute this Memorandum of Lease to evidence said Lease and certain of the terms therein for the purpose of placing the same of record in the Clerk's Office for Delaware County, State of Iowa.

**NOW THEREFORE**, in consideration of the sum of Ten ($10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lessor does hereby lease the Premises to the Lessee upon the terms and conditions of the Lease which is incorporated herein by specific reference, and do agree as follows:

(1) On the 21st day of November, 2006 the Lessor and Lessee entered into the Lease of the Premises.

(2) The term of the Lease is for a period of five (5) years commencing on the 1st day of May, 2007, and terminating on the 1st day of May, 2012.

(3) The amounts of rental due and the terms, conditions and rights and remedies of the parties hereto are specifically set forth in the Lease.

(4) The Lease contains an option to extend the lease for up to five additional five year terms which may be exercised upon the terms and conditions more particularly set forth in the Lease.

**IN WITNESS WHEREOF**, the Lessor and Lessee hereto have caused this Memorandum of Lease to be executed by their duly authorized officers as of the day and year first above written.

LANDLORD:

Marcheta R. Cooey and Ralph Douglas Cooey as Trustees of the Archie W. Cooey Jr. Trust, Marcheta R. Cooey, Individually

x Marcheta R Cooey as Trustee

(printed) Marcheta R Cooey

x Ralph D Cooey as Trustee

TENANT:

The Iowa RSA No. #12 Limited Partnership, an Iowa limited partnership

By: Kevin Lowell

(printed) KEVIN R. LOWELL

Title: VICE PRESIDENT



[Date]
[Site no/Name]
[File Path]

(printed) Ralph Douglas Cooey

x Marchita R. Cooey
as Individual

(printed) Marchita R. Cooey

STATE OF Nebraska )
)
COUNTY OF Lancaster )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Marchetta R. Cooey and Ralph Douglas Cooey, known to me to be the same persons whose names are subscribed to the foregoing Ground Lease, appeared before me this day in person and severally acknowledged that they signed the said Lease as their free and voluntary act for the uses and purposes therein stated.

Given under my hand and seal this 28 day of October, 2006.

GENERAL NOTARY-State of Nebraska
SARAH J. HENNING
My Comm. Exp. July 19, 2009

Sarah J Henning
Notary Public

My commission expires July 19, 2009

STATE OF ILLINOIS )
)
COUNTY OF Cook )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that KEVIN R. LOWELL, Vice President of National Network Engineering, known to me to be the same person whose name is subscribed to the foregoing Ground Lease, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Lease as his free and voluntary act on behalf of the named Lessee limited partnership, for the uses and purposes therein stated.

Given under my hand and seal this 21st day of November, 2006.

"OFFICIAL SEAL"
DONALD L. DICKE
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/23/2007

Donald R Dicke
Notary Public

My commission expires 8/23/07

**EXHIBIT "A"**
**Description of Premises**

Property Identification No: 394346
911 Property Address: 26483 225 Ave.

Legal Description:

LEGAL DESCRIPTION–LEASE AREA:

PART OF LOT 15, H.L.C. SOUTH ADDITION TO DELAWARE COUNTY, IOWA AS RECORDED IN BOOK 6, PAGE 164 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER, LOCATED IN THE NW¼ OF SECTION 30, TOWNSHIP 88 NORTH, RANGE 4 WEST OF THE 5TH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 15, H.L.C. SOUTH ADDITION IN DELAWARE COUNTY, IOWA; THENCE N31°39'59"W ALONG THE WESTERLY LINE OF SAID LOT 15, 41.45 FEET; THENCE N76°51'13"E ALONG THE NORTHERLY LINE OF A 40 FOOT INGRESS AND EGRESS EASEMENT AS RECORDED IN BOOK 6 PAGE 164 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER, 15.12 FEET TO THE POINT OF BEGINNING; THENCE N04°31'16"E ALONG THE EASTERLY LINE OF A 20 FOOT OVERHEAD UTILITY EASEMENT AS RECORDED IN BOOK X PAGE 78 IN THE OFFICE OF THE DELAWARE COUNTY RECORDER, 347.36 FEET; THENCE N76°51'13"E, 168.98 FEET; THENCE S43°08'47"E, 269.39 FEET; THENCE S13°08'47"E, 97.68 FEET TO THE NORTHERLY LINE OF SAID 40 FOOT INGRESS AND EGRESS EASEMENT; THENCE S76°51'13"W ALONG SAID NORTHERLY LINE, 409.10 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.35 ACRES, SUBJECT TO EASEMNENTS AND RESTRICTIONS OF RECORD.